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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/587,454

07/27/2006

Seiichi Hirai

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BRUNDIDGE & STANGER, P.C.  
1700 DIAGONAL ROAD, SUITE 330  
ALEXANDRIA, VA 22314

EXAMINER

ATALA, JAMIE JO

ART UNIT

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2621

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/587,454	<b>Applicant(s)</b> HIRAI ET AL.	
	<b>Examiner</b> JAMIE JO VENT ATALA	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-12 rejected under 35 U.S.C. 103(a) as being unpatentable over Handa (US 7,250,964) in view of Hashimoto et al (US 2003/0091327).

[claim 1]

In regard to Claim 1, Handa discloses an image display method for recording a moving picture formed of a plurality of still pictures obtained from one image pickup device into a recording device using a plurality of channel lines having different picture qualities in a duplicative manner, and displaying the moving picture recorded in the recording device, comprising:

- image acquisition step of acquiring the still pictures forming the moving picture from the recording device (Figure 1 shows data acquisition of moving pictures that are stored onto the recording device); and
- image display step of displaying acquired still pictures (Column 1 Lines 54+ through Column 2 Lines 1-33 describes the displaying of still pictures

as processed by the image management system); however, fails to disclose

- wherein the still pictures forming the moving picture in a channel line having a high picture quality among the channel lines are displayed preferentially.

Hashimoto et al discloses a monitoring recording and reproducing device that acquires images from a camera and displays into moving images (Figure 2) wherein the pictures being recorded and displayed are based on the quality of the picture as described in paragraphs 0002-0003. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of acquiring still pictures, as disclosed by Handa, and further incorporate a method of the still pictures forming moving picture data in high quality, as disclosed by Hashimoto et al, in order to provide an accurate and efficient data stream.

[claim 2]

In regard to Claim 2, Hashimoto et al teaches an image display method wherein the still pictures have time information, and at said image acquisition step, the still pictures forming the moving picture acquired from the recording device are selected on the basis of the time information and reproduction reference time (Paragraph 0002 describes the pictures based on time series for recording the data).

[claim 3]

In regard to Claim 3, Hashimoto et al teaches an image display method according to claim 1, wherein at said image display step, the still pictures forming the moving picture

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in the channel line having the high picture quality are displayed while the still pictures forming the moving picture in the channel line having the high picture quality are consecutively present (Paragraphs 002-003 describes the displaying of higher quality frames to the user).

[claim 4]

In regard to Claim 4, Hashimoto et al teaches an image display method according to wherein the picture quality indicates at least one of a frame rate, a compression factor, and a resolution, and the high picture quality indicates at least one of a high frame rate, a low compression factor, and a high resolution (Paragraphs 0002-0003 describes the image quantity being changed through increasing compression factor to allow for varying quality of the recording).

[claim 5]

In regard to Claim 5, Handa discloses an image display apparatus for recording a moving picture formed of a plurality of still pictures obtained from one image pickup device into a recording device using a plurality of channel lines having different picture qualities in a duplicative manner, and displaying the moving picture recorded in the recording device, comprising:

- image acquisition means of acquiring the still pictures forming the moving picture from the recording device (Figure 1 shows data acquisition of moving pictures that are stored onto the recording device); and
- image display means of displaying acquired still pictures (Column 1 Lines 54+ through Column 2 Lines 1-33 describes the displaying of still pictures

as processed by the image management system); however, fails to disclose

- wherein the still pictures forming the moving picture in a channel line having a high picture quality among the channel lines are displayed preferentially.

Hashimoto et al discloses a monitoring recording and reproducing device that acquires images from a camera and displays into moving images (Figure 2) wherein the pictures being recorded and displayed are based on the quality of the picture as described in paragraphs 0002-0003. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of acquiring still pictures, as disclosed by Handa, and further incorporate a method of the still pictures forming moving picture data in high quality, as disclosed by Hashimoto et al, in order to provide an accurate and efficient data stream.

[claim 6]

In regard to Claim 6, Hashimoto et al teaches an image display apparatus wherein the still pictures have time information, and at said image acquisition step, the still pictures forming the moving picture acquired from the recording device are selected on the basis of the time information and reproduction reference time (Paragraph 0002 describes the pictures based on time series for recording the data).

[claim 7]

In regard to Claim 7, Hashimoto et al teaches an image display apparatus according to claim 1, wherein at said image display step, the still pictures forming the moving picture

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in the channel line having the high picture quality are displayed while the still pictures forming the moving picture in the channel line having the high picture quality are consecutively present (Paragraphs 002-003 describes the displaying of higher quality frames to the user).

[claim8]

In regard to Claim 8, Hashimoto et al teaches an image display apparatus according to wherein the picture quality indicates at least one of a frame rate, a compression factor, and a resolution, and the high picture quality indicates at least one of a high frame rate, a low compression factor, and a high resolution (Paragraphs 0002-0003 describes the image quantity being changed through increasing compression factor to allow for varying quality of the recording).

[claim 9]

In regard to Claim 9, Handa discloses a program for causing a computer included in an image display apparatus to execute a function of the image display apparatus for recording a moving picture formed of a plurality of still pictures obtained from one image pickup device into a recording device using a plurality of channel lines having different picture qualities in a duplicative manner, and displaying the moving picture recorded in the recording device, comprising::

- image acquisition means of acquiring the still pictures forming the moving picture from the recording device (Figure 1 shows data acquisition of moving pictures that are stored onto the recording device); and

- image display means of displaying acquired still pictures (Column 1 Lines 54+ through Column 2 Lines 1-33 describes the displaying of still pictures as processed by the image management system); however, fails to disclose
  - wherein the still pictures forming the moving picture in a channel line having a high picture quality among the channel lines are displayed preferentially.

Hashimoto et al discloses a monitoring recording and reproducing device that acquires images from a camera and displays into moving images (Figure 2) wherein the pictures being recorded and displayed are based on the quality of the picture as described in paragraphs 0002-0003. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of acquiring still pictures, as disclosed by Handa, and further incorporate a method of the still pictures forming moving picture data in high quality, as disclosed by Hashimoto et al, in order to provide an accurate and efficient data stream.

[claim 10]

In regard to Claim 6, Hashimoto et al teaches a program wherein the still pictures have time information, and at said image acquisition step, the still pictures forming the moving picture acquired from the recording device are selected on the basis of the time information and reproduction reference time (Paragraph 0002 describes the pictures based on time series for recording the data).

[claim 11]



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In regard to Claim 11, Hashimoto et al teaches a program according to claim 1, wherein at said image display step, the still pictures forming the moving picture in the channel line having the high picture quality are displayed while the still pictures forming the moving picture in the channel line having the high picture quality are consecutively present (Paragraphs 002-003 describes the displaying of higher quality frames to the user).

[claim 12]

In regard to Claim 12, Hashimoto et al teaches a program according to wherein the picture quality indicates at least one of a frame rate, a compression factor, and a resolution, and the high picture quality indicates at least one of a high frame rate, a low compression factor, and a high resolution (Paragraphs 0002-0003 describes the image quantity being changed through increasing compression factor to allow for varying quality of the recording).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Kogane et al (US 6,323,897).

### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMIE JO VENT ATALA whose telephone number is (571)272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JAMIE JO VENT ATALA/  
Examiner, Art Unit 2621